

10 Sep 74

Congressional Briefings

1974	16 A/O 10 Sep 74	
1973	34 DCI	12 SA off (about 14 exclusively, Walsby)
1972	15 DCI	10 SA off
1971	14 DCI	3 SA off
1970	17 DCI	1 SA off Senate Committees not jointly
1969	20	Senate Committees not jointly
1968	18	Senate Committees not jointly
1967	32	Senate Committees not jointly
1966	37	Senate Committees not jointly
1965	53	Senate Committees not jointly
1964	24	Senate Committees not jointly

⊗ 1964-69 Briefings not recorded
on whether DCI or Senior officer
involved.

Total Number of Congressional Briefings, 1964 - 1974

	<u>Briefing by Director</u>	<u>Briefing by Senior Officials</u>
1974	22	6
1973	34	12
	(about 14 of total number were exclusively Watergate)	
1972	15	10
1971	14	3
1970	<u>17</u>	<u>1</u>
TOTAL	102	32

(For 1964 through 1969 briefings by Director and other officers lumped together, but can be broken out if needed.)

	<u>Total Number of Briefings</u>
1969	20
1968	18
1967	32
1966	37
1965	53
1964	<u>24</u>
TOTAL	184

OVERALL TOTAL: 318

Total Number of Congressional Briefings, 1964 - 1974

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1970	<u>17</u>	<u>1</u>
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1969	20
1968	18
1967	32
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1964	<u>24</u>
TOTAL	184

OVERALL TOTAL: 318

Senate Armed Services Committee	15	2
Subcommittee on Military Construction Authorization		1
Senate Foreign Relations Committee		
Subcommittee on Arms Control, International Law & Organization	1	1
<div style="border: 1px solid black; width: 500px; height: 25px; display: inline-block;"></div>		1
Subcommittee on Western Hemisphere Affairs	1	
Senate Government Operations Committee		
Subcommittee on Intergovernmental Relations		1
Joint Committee on Atomic Energy	0	1
Joint Economic Committee		
Subcommittee on Priorities and Economy in Government		1
House Armed Services Committee	2	1
Arms Control and Disarmament Subcommittee		1
Joint Intelligence Subcommittee and Subcommittee No. 1 (R&D)	1	
House Appropriations Committee		
Defense Subcommittee		1
Defense and Military Construction Subcommittees	1	
House Foreign Affairs Committee	1	
Near East & South Asia Subcommittee	1	1
Inter-American Affairs Subcommittee	2	
Subcommittee on National Security Policy and Scientific Developments		1

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	<u>1973</u>	<u>1974</u>
House Government Operations Committee		
Subcommittee on Foreign Operations and Government Information		2
House Internal Security Committee		1

19731974

Senate Armed Services Committee	15	2
Subcommittee on Military Construction Authorization		1
Senate Foreign Relations Committee		
Subcommittee on Arms Control, International Law & Organization	2	1
STAT 		1
Subcommittee on Western Hemisphere Affairs	1	
Senate Government Operations Committee		
Subcommittee on Intergovernmental Relations		1
Joint Committee on Atomic Energy	0	1
Joint Economic Committee		
Subcommittee on Priorities and Economy in Government		1
House Armed Services Committee	2	1
Arms Control and Disarmament Subcommittee		1
Joint Intelligence Subcommittee and Subcommittee No. 1 (R&D)	1	
House Appropriations Committee		
Defense Subcommittee		1
Defense and Military Construction Subcommittees	1	
House Foreign Affairs Committee	1	
Near East & South Asia Subcommittee	1	1
Inter-American Affairs Subcommittee	2	
Subcommittee on National Security Policy and Scientific Developments		1

	<u>1973</u>	<u>1974</u>
House Government Operations Committee		
Subcommittee on Foreign Operations and Government Information		2
House Internal Security Committee		1

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USE ONLY☐ CONFIDENTIAL☐ SECRET

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

Legislative Counsel

EXTENSION

4151

NO.

DATE

10 September 1974

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

Mr. Thuermer

2.

3.

4.

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6.

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15.

Attach (Tab A) is a little write up we did recently which may provide some ideas for input into the Director's prepared statement for Friday's session. I recommend that you do not draw upon anything in "II C or D."

As a separate input George Cary suggested we send you a "Fact Sheet" on the "three different levels" of DCI briefings of Congress with examples and some quantification. The "Fact Sheet" is an elaboration of III of Tab A.

Also, not knowing whether you have it or not, Tab C is the prepared statement the Director used before the Moorhead Subcommittee which you might find helpful on this same subject--note pages 4 and 5.

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 Acting Legislative Counsel

Atts

5 September 1964

OLC 74-1958

CONGRESSIONAL OVERSIGHT--RELATIONS

I. General

Congressional oversight of executive agencies, such as CIA, stems from the coordinate role of the Congress and the Executive Branch under the Constitution.

A. Prior to Executive Action

Differing from the parliamentary system (with accountability for executive actions being principally deferred until after the fact), congressional control is exercised principally prior to the fact through:

1. Specific statutes setting forth both the authority and restrictions for executive action.

2. Appropriations, which must be justified in detail and which may be either increased, decreased, or completely eliminated for particular programs. (Sometimes reports on specific obligations of appropriations are required.)

3. Continuous consultation with those standing congressional committees exercising jurisdiction over legislation and appropriations.

B. Jurisdiction of Standing Committees

Pursuant to congressional rules standing committees of the Congress are specifically responsible for recommending to their respective Houses (House of Representatives or Senate) legislation affecting specific agencies or programs. Also, these committees are responsible for assuring that the laws enacted are faithfully and effectively carried out. This latter responsibility commonly

referred to as "congressional oversight" is the principal method used (1) for holding the responsible executive officer responsible for his actions and (2) for determining the need for new legislation, either restrictive or expansive.

II. Standing Committees

There are four committees in the Congress, the Appropriations and Armed Services Committees of both Houses, which have a specific charter for examining the administration of the CIA. These Committees have an ample opportunity for monitoring executive stewardship of the Agency and this has been accomplished with wisdom and restraint without unduly impinging upon executive responsibility.

A. Armed Services Committees

The Armed Services Committees have jurisdiction over the basic legislation affecting CIA:

1. The National Security Act of 1947 (which established the Central Intelligence Agency and the positions of the Director and Deputy Director of Central Intelligence).

2. The Central Intelligence Agency Act of 1949 (the Agency's enabling legislation).

3. The Central Intelligence Agency Retirement Act.

Amendments proposed by other members of Congress to these basic acts are referred to the Armed Services Committees and favorable consideration by these Committees in a report to their parent House is normally required before these Acts can be amended.

The Armed Services Committees' oversight of the Central Intelligence Agency is conducted through subcommittees:

Senate - Subcommittee on Central Intelligence

John C. Stennis (D., Miss.), Chairman
Stuart Symington (D., Mo.)
Henry M. Jackson (D., Wash.)
Peter H. Dominick (R., Colo.)
Strom Thurmond (R., S. C.)

House - Special Subcommittee on Intelligence

Lucien N. Nedzi (D., Mich.), Chairman
F. Edward Hebert (D., La.)
Melvin Price (D., Ill.)
O. C. Fisher (D., Texas)
William G. Bray (R., Ind.)
Leslie Arends (R., Ill.)
Bob Wilson (R., Calif.)

Contact between the Subcommittees and the Agency is continuous:

- To keep the Subcommittees thoroughly informed on major substantive foreign intelligence developments.
- To provide annually information on Agency programs and activities which complements a similar presentation made to Appropriations Subcommittees in support of the Agency's appropriations requests, and to update that information.
- To apprise the Subcommittees on potential serious incidents or problem areas.
- To respond to requests levied by the Subcommittees for information.

In short, there are no secrets from these Subcommittees and their record for discretion and protection of security is exemplary.

B. Appropriations Committees

The Appropriations Committees also deal with Agency activities through subcommittees:

Senate - Intelligence Operations Subcommittee
(of the Subcommittee on Defense)

John L. McClellan (D., Ark.), Chairman
John C. Stennis (D., Miss.)
John O. Pastore (D., R. I.)
Milton R. Young (R., N. Dak.)
Roman L. Hruska (R., Neb.)

The relationship with these Subcommittees is essentially the same as that which exists with the Armed Services Committees. In connection with the Appropriations Committees' responsibility for appropriating revenue for the support of Government agencies, the Committees are authorized to study and examine the organization and operation of executive agencies.

C. Government Operations Committee Jurisdiction

The Government Operations standing committees of both Houses are charged with studying the efficiency and economy of the operations of all executive agencies. Normally one committee will not undertake an investigation into an area already under study by another committee of the same House. When issues have arisen the Government Operations Committees have generally been satisfied that the Agency's Armed Services or Appropriations oversight Subcommittees were fully informed on the matter and the potential for a clash of authorities has usually been resolved through a spirit of cooperation and good faith.

D. Miscellaneous Committees

A number of other standing committees in the Congress have the authority to enact general legislation which could impact upon the Agency. In such cases Agency views are made known to them either in written form or in testimony which seldom requires discussion of sensitive matters but rather a portrayal of existing statutory authority and the impending conflict therewith posed by the proposed legislation.

III. Information Provided to Congress

Even though CIA is an executive agency responsible to the President, Congress, as a coordinate branch of Government, has certain responsibility for formulating policy in areas where CIA's product is relevant. Briefings in executive session are thus requested by and given to such standing committees as: (1) Senate Foreign Relations and House Foreign Affairs Committees, (2) Joint Committee on Atomic Energy, (3) Joint Economic Committee, (4) full Armed Services Committees, and (5) Senate Aeronautical and Space Sciences and House Science and Astronautics Committees. These substantive intelligence briefings are almost always held in executive session. Most are classified and never published. In some instances a transcript of the executive session is later sanitized for publication. Most recently this has occurred in connection with testimony on the Sino-Soviet economy before the Joint Economic Committee and Soviet naval activities in the Indian Ocean before the Military Construction Authorization Subcommittee of the Senate Armed Services Committee.

FACT SHEET

I. The Director briefs the Congress at three levels:

A. Briefings on intelligence or Agency activities.

1. Sometimes in open session:

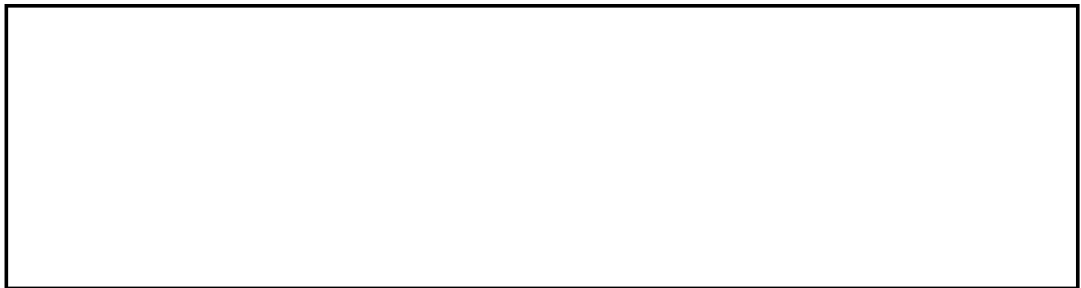
a. 2 and 25 July 1973 - Senate Armed Services Committee - Mr. Colby's confirmation hearings. (First time the Director of Central Intelligence's confirmation hearing was held in open session.)

b. 29 May 1974 - Subcommittee on Intergovernmental Relations of Senate Government Operations Committee - John S. Warner, General Counsel, testified on Agency classification procedures and dissemination of information to Congress.

c. 22 July 1974 - Intelligence Subcommittee of House Armed Services Committee - on H. R. 15845, a bill to tighten the provisions of the National Security Act with respect to CIA.

d. 1 August 1974 - House Foreign Operations and Government Information Subcommittee, Government Operations Committee - on H. R. 12004, a bill to replace Executive Order 11652 with a statutory classification system.

2. Sometimes in closed session with a transcript later sanitized:



c. 11 July 1974 - Subcommittee on Military Construction, Senate Armed Services Committee - on Soviet presence in the Indian Ocean (Diego Garcia), printed in the Congressional Record 1 August 1974.

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3. Sometimes in closed session--no subsequent release
(in some cases it is the full committee and in others subcommittees):

- a. Senate Armed Services Committee
- b. Senate Foreign Relations Committee
- c. Joint Committee on Atomic Energy
- d. House Appropriations Committee
- e. House Armed Services Committee
- f. House Foreign Affairs Committee

II. Detailed briefings of the oversight committees--all Agency activities operations included:

A. Intelligence Operations Subcommittee of Senate Appropriations Committee, 1973--10 times, 1974--6 times.

B. Subcommittee on Central Intelligence of Senate Armed Services Committee, 1973--3 times; 1974--1 time.

C. House Appropriations, 1973--3 times; 1974--2 times.

D. Special Subcommittee on Intelligence of House Armed Services Committee, 1973--8 times; 1974--11 times.